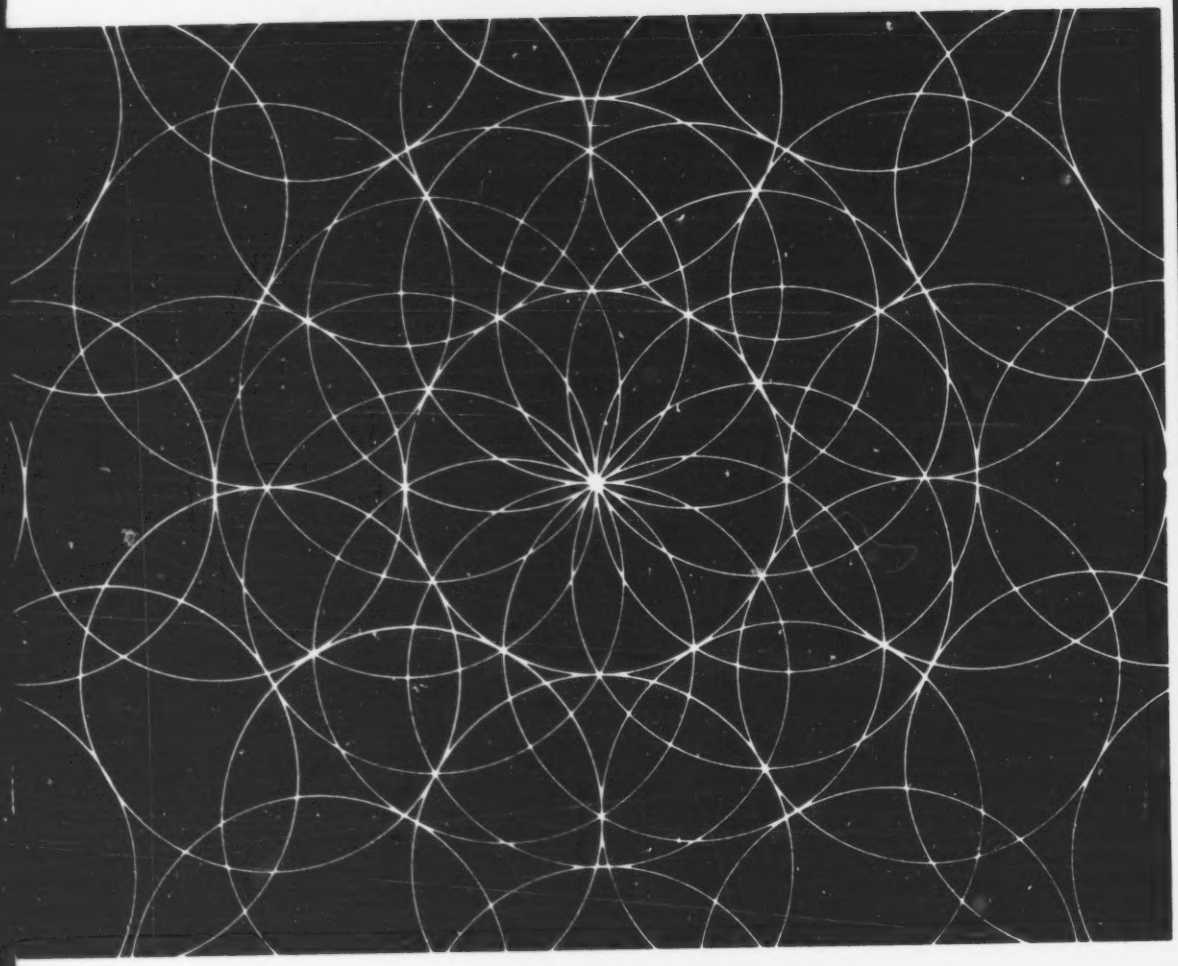
1985

Fourteenth Annual Report



MANITOBA LAW REFORM COMMISSON

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LAW REFORM COMMISSION

MANITOBA

COMMISSION DE RÉFORME DU DROIT

FOURTEENTH ANNUAL REPORT

1984-85

LAW REFORM COMMISSION

MANITOBA

COMMISSION DE RÉFORME DU DROIT

April 2, 1985

Hon. Roland Penner, Q.C.
Attorney-General of Manitoba
104 Legislative Building
Winnipeg, Manitoba
R3C 0V8

Dear Mr. Attorney:

In accordance with section 5(2) of *"The Law Reform Commission Act"*, I submit herewith the 14th Annual Report of the Manitoba Law Reform Commission for the period April 1, 1984 to March 31, 1985.

Yours respectfully

Clifford H.C. Edwards, Q.C.
Chairman

INTRODUCTION

The Manitoba Law Reform Commission was established by *"The Law Reform Commission Act"* to which Royal Assent was accorded on July 21, 1970 and which came into force on October 1, 1970. The statute provides for the Commission to be composed of seven members appointed by the Lieutenant Governor in Council on the recommendation of the minister charged with the administration of the Act. The Hon. the Attorney-General has been the designated minister from the beginning.

Last year's report referred to the difficulties experienced by the Commission due to budgetary constraints. Unfortunately the situation did not improve during 1984/85. The two Commissioners who resigned in 1983 were not replaced and we received no fees for the hiring of outside consultants during the past year. Despite all this the output of the Commission, as evidenced in this report, pays tribute to the extra efforts expended both by the Commission and its legal staff in ensuring that the work of this agency did progress and maintain the same high standards which had been set since its inception.

Mr. Richard Thompson's term as a Commissioner expired on March 30th, 1984 and his place was taken in April 1984 by Mrs. Lee Gibson. Prof. D.T. Anderson's term expired on June 30th, 1984 when he took up his appointment as Dean of the Faculty of Law of the University of Manitoba. His place was taken in July 1984 by Prof. John Irvine also of the Faculty of Law. To both Mr. Thompson and Dean Anderson the Commission owes a great debt of gratitude for their labours over several years. Mr. Thompson often had to make difficult flights from Dauphin to attend meetings and Dean Anderson made great contributions in many different ways not least of which was his service on our research committee dealing with the subject of the Amalgamation of the Courts.

To accommodate the reduction in the number of members of the Commission, *"The Law Reform Commission Act"* was amended during the 1984 Session of the Legislature so as to provide that the Commission consist of "not more than seven members" rather than simply seven members and that three rather than four members should constitute a quorum.

THE COMMISSION'S MANDATE

The Manitoba Law Reform Commission is a continuing organization whose objects are set out in *"The Law Reform Commission Act"*. The Commission's duties are to inquire into and consider any matter relating to law in Manitoba with a view to making recommendations for the improvement, modernization and reform of law, including, the removal of provisions which are outdated or inconsistent, the maintenance and improvement of the administration of justice, the review of judicial and quasi-judicial procedures under any Act and the development of new approaches to and new concepts of law in keeping with and responsive to the changing needs of society and of individual members of that society.

The Commission is also required by statute to report from time to time to the minister and to make an annual report on the activities of the Commission.

In the performance of these duties, the Commission institutes and directs research of a legal nature, including studies and research relating to the laws and legal systems and institutions of other jurisdictions in Canada and elsewhere. The Commission may also receive and consider any proposals for the reform of the law that may be made or referred to it by any body or person, and may undertake studies as joint projects with other commissions, agencies or organizations in Canada with the approval of the minister. The minister, however, may assign priority to any project(s) referred to the Commission.

OPERATIONAL OBSERVATIONS

Meetings

During the past year the Commission held fifteen formal meetings. The minimum statutory requirement mentioned in subsection 7(1) is four meetings.

Completed Projects

Formal Reports

The following formal Reports were submitted to the Attorney-General:

#58 - *Administrative Law; Part I: Procedures of Provincial Government Agencies* - dated June 29, 1984

In this first Report on Administrative Law, the Commission examines the procedures presently governing the decision-making powers of over 200 government agencies which are now operating at the provincial level. The Commission points out at the beginning of its Report that administrative procedure must be concerned with three primary values: fairness, efficiency and accuracy. Administrative procedure is presently imposed upon agencies from three sources, these being the common law, the Canadian Charter of Rights and Freedoms and legislation. The Commission reviews the procedure from these sources and concludes that published rules of practice and procedure are generally desirable. The Commission recommends that those provincial government agencies which principally make decisions directly affecting the rights or interests of a person or group of persons should have published rules of practice and procedure to govern those decisions. Sixty-one such agencies fall into this category.

For reasons set out in its Report, the Commission recommends that published procedure be implemented through the preparation of separate rules for each of the 61 agencies referred to. These published rules should generally be set forth in the regulations passed pursuant to the legislation which creates and empowers each agency. In order to provide some guidelines to assist in the preparation of separate rules, the Commission sets forth six models of procedure to govern certain categories of decision-making exercised by provincial government agencies.

The model rules are designed to reflect the more recent legal developments in Canada and were prepared following an assessment of how the values of fairness, efficiency and accuracy should be properly balanced for each type of decision-making power. It should be noted that each of the six models of procedure contains a provision stating that the agencies in question should, on request, give reasons for their decisions. As the Commission observes, the giving of reasons is not yet a requirement of the common law principles of natural justice and fairness but the Report provides

several justifications for an agency to give reasons on request. The Commission says that a very broad basis for the giving of reasons is that "fair play requires that parties should know at the end of the day why a particular decision has been taken."

In order that expert assistance be given to each agency to prepare published rules of procedure and to ensure that "those rules properly balance the conflict between administrative convenience and personalized justice", the Commission recommends that a permanent monitoring body be established in Manitoba consisting of a full-time officer of the Legislature and that it be required to report annually concerning its performance.

Aside from examining agency procedures, the Commission also deals with appeals from provincial government agencies. The Commission recommends that the monitoring body also be given the function of reviewing the present rights of appeal from decisions of each provincial government agency and of determining the desirability of reform in this area on an agency-by-agency basis.

#59 - *Breach of Promise to Marry* - dated October 1, 1984

The Commission examines in this Report whether or not the law should continue to treat an engagement to marry as a legally binding contract. The original reasons for the breach of promise action are reviewed and assessed. So too are the alternative causes of action which allow for losses to be redressed in specific cases. The Commission generally recommends that legislation be enacted abolishing the legal action for breach of promise to marry together with all other actions based totally on a promise to marry. However, a cause of action in deceit should be retained where there has been a bigamous or sham marriage of any kind and the Commission so recommends. Specific recommendations are also made with respect to gifts made in contemplation of marriage. In regard to the abolition of the breach of promise to marry action, it is recommended that the abolition not affect any action which has been commenced before the legislation implementing the abolition comes into force.

#60 - *An Examination of "The Dower Act"* - dated November 19, 1984

In Part I of this Report, the Commission examines in detail spousal property rights on death. Under *"The Dower Act"*, the survivor may elect to take a fixed share of the deceased's net estate where the will fails to provide the survivor with the minimum provision as set out in the Act. At issue with respect to the fixed share is whether such a scheme is the fairest and most appropriate means of adjusting the economic position of the spouses when the marriage is terminated by death. The Commission concludes that the passage of time since the Dower Act's inception in 1918, coupled with recent developments in the law of marital property, have brought to light some

deficiencies in the legislation. Stated simply, under the present law there is a lack of symmetry between the principles governing a pre-death distribution of property and those governing a post-death distribution of property.

The Commission recommends that the present fixed share scheme be repealed and that a deferred sharing regime operative on death be enacted. A statutory right to share at death in the property accumulated during the marriage is rooted in the view of marriage as a partnership and derives from the presumption that each of the parties contributed, directly and indirectly, to the acquisition of property. The proposed deferred sharing regime is based generally upon the principles set out in *"The Marital Property Act"* and would help to simplify and consolidate marital property law and succession legislation by setting up similar schemes for the sharing of marital property.

It is also proposed that specific safeguards or anti-avoidance measures be adopted to prevent a spouse from defeating or reducing a survivor's claim to marital property by transferring all or a portion of his/her property to others before death. The Commission sets forth some twenty-seven recommendations in this regard.

In Part II of the Report, the Commission turns to the balance of *"The Dower Act"* which generally sets forth the protections afforded to the homestead or family home. The Commission concludes that the policy of *"The Dower Act"* to protect the non-owning spouse from arbitrary disposition of the homestead has, on occasion, been used to deny others their property interest. The Report sets out a number of new remedies which provide for a more flexible approach to the question of non-compliance with the requirements of the Act.

Recommendations pertaining to the prescribed form of consent and certificate of acknowledgment are proposed so that from a reading of the appropriate form itself both the spouse and those called upon to administer the acknowledgment will understand fully the homestead protections. Amendments are also proposed to the definition of homestead to clarify the requisite property interest and to reflect better the policy of the homestead protections. A draft "Homesteads Act" incorporating these recommendations is set out in an Appendix to the Report.

The Commission proposes that there be a transition period of at least six months between the date provincial legislation is enacted and when it becomes effective to enable the bench, bar and public to become familiar with its provisions.

A summary of the Report has also been published to provide a reasonably concise overview of the Report's contents.

#61 - *Intestate Succession* - dated March 31, 1985

The rules governing the distribution of an intestate estate apply in Manitoba when people die and do not leave a will disposing of their property at death or leave a will but one which fails to dispose of all of their property. These rules are presently embodied in Manitoba in *"The Devolution of Estates Act"* and it is this legislation which the Commission studies in this Report.

One of the principal issues examined is the intestate share of the surviving spouse. Under the present rules, the surviving spouse receives a preferential share of $50,000 plus a distributive share of at least one-half of the remainder. The Commission recommends that the surviving spouse's preferential share be doubled to $100,000. To ensure that the economic value of the preferential share is maintained in the future, the regular review of this share by the Legislature is proposed. The Commission also assesses in respect to the preferential share whether a surviving spouse should be entitled to the same share when the deceased is also survived by children by a prior marriage. For reasons set forth in the Report, the Commission recommends that the surviving spouse's preferential share be $50,000 when there are surviving issue of the intestate, one or more of whom are not issue of the surviving spouse. Specific recommendations are also made with respect to a surviving spouse who is living separate and apart from the deceased at the time of death and to a *de facto* spouse i.e. a person who, while not legally married to the deceased, lived with the deceased in a relationship similar to that of a married person.

The Report also deals with the shares of heirs other than the surviving spouse and makes several recommendations for change. It is recommended that next-of-kin more distant than great-grandparents and their issue not be permitted to share in the deceased's estate on an intestacy. Other recommendations on the subjects of advancements and survivorship are made. The Commission recommends that amendments to *"The Devolution of Estates Act"* incorporating its proposals should be limited to the estates of those who die on or after the date the amendments come into force.

Informal Reports

The Commission issued one informal report during this period, as follows:

14A - *Jactitation of Marriage* - dated October 5, 1984

In this brief informal Report the Commission recommends that the action of jactitation of marriage be abolished in Manitoba. This is

an action which enjoins a defendant from continuing to say that (s)he was married to the petitioner, thereby creating a reputation of marriage or a possibility thereof. The Commission points out that there is no need to retain the action in order to get a declaration as to marital status in Manitoba as s. 63, Rule 8 of *"The Queen's Bench Act"* has been judicially interpreted to allow for same. The only other possible reason for resorting to this old action is to restrain a defendant from actively claiming a false relationship. As there apears to be no reported cases anywhere in Canada on the use of the action for this purpose, the Commission concludes the retention of the action is unnecessary. It is recommended that the action be absolished by appropriate amendment to *"The Equality of Status Act"* of Manitoba.

Earlier Reports: The Present Position

Attached to this report is an Appendix which lists all of the Reports issued by this Commission since its inception in 1970 and any original legislation or other administrative action implementing the Commission's recommendations in these Reports. The Commission is fortunate to have most of its proposals implemented by legislation. We note that of the 84 formal and informal reports which have recommended provincial legislative reform, 69 of these have been fully or partially implemented. This amounts to a success rate of over 80 percent. We believe that this figure is a tribute both to the commitment to law reform of the Attorneys-General we have served and to the success of this Commission. There are, however, many recommendations in our Reports which have yet to be implemented. The majority of these are contained in Reports which have been issued during the past two years and for which we anticipate implementation in the near future. There are, however, recommendations from Reports preceding this period which are still outstanding. These include the recommendations for the substantial reform of prejudgment interest laws contained in our *Report on Prejudgment Compensation: Alternatives to Interest* (issued January 4, 1982). We note that recently the council of the Manitoba Bar Association formally endorsed and approved the Report's recommendations stating that they "would constitute a much needed and progressive reform of the law".

Work in Progress

1. Administrative Law; Part II: Judicial Review of Administrative Decisions - reference from the Attorney-General. This project is the second part of the Commission's reference on Administrative Law. In Part II the Commission will examine the procedures and remedies used on an application to the Court of Queen's Bench to review decisions made by inferior courts and administrative agencies. Changes will be recommended to simplify those procedures and remedies. It is anticipated that the report will also contain recommendations pertaining to the court's power to order relief on an interim application for judicial review. The rules of standing to bring an application for judicial review will also be examined. We expect to complete this project during this coming year.

2. *"The Testators Family Maintenance Act"*. This project arose from our examination of *"The Dower Act"*. One of the principal criticisms made of this statute is that it has been very liberally construed by the courts and applications have been allowed without regard to actual need. This has been particularly evident where applications have been brought by able-bodied adult children. We intend to examine whether the Act should be amended to limit its use to one of maintenance and, if so, to study how this can be best achieved. Other more minor issues will also be addressed. A member of our legal staff is working full time on this reference and we hope that we can issue a report to the Attorney-General on the reform of this statute within the coming year.

3. Periodic Payment of Damages - reference from the Attorney-General. In March, 1983, the Commission obtained the consent of the Attorney-General to retain a consultant on this project, Prof. Patricia Carlson of the Faculty of Law, University of Manitoba. Prof. Carlson completed a draft report for the Commission in December, 1984 which is now being studied by the Chief Legal Research Officer. The Commission intends to report to the Attorney-General on this reference during this coming year.

4. *"The Human Tissue Act"* - reference from the Attorney-General. In February, 1985, the Commission issued a Working Paper which set forth our tentative proposals with respect to the post-mortem removal and use of human tissue and organs for therapeutic, educational and research purposes. The Working Paper was published so that we would have the benefit of obtaining public response before reporting our final recommendations to the Attorney-General. One of the principal issues explored in the Paper is whether appropriate legislative and practical changes can be proposed to increase the supply of much-needed human tissue. Several legislative alternatives to the present voluntary scheme of organ donation are explored together with numerous practical suggestions for consideration by the medical profession. Some 17 tentative recommendations are proposed in the

Working Paper. One of the major tentative recommendations is that every hospital adopt a practice of routine request for the family's consent to donation in cases where a prospective organ donor is identified.

The Commission has invited public response on the Working Paper not later than April 30, 1985. We expect to report our final recommendations within the coming year.

5. Sterilization of Minors and Mentally Disabled Persons - reference from an Attorney-General. The Commission has deferred further study on this topic until a decision is rendered by the Supreme Court of Canada in the case of *Re Eve*, reported in (1981) 115 D.L.R. (3d) 283. The appeal date before the Supreme Court of Canada is scheduled to be heard in June of the coming year.

6. Legal Representation of Children. Work on this project has been delayed owing to higher priority references established by the Attorney-General. We anticipate resuming this project during the coming year.

7. *"The Landlord and Tenant Act"*: Parts I, II and III. Further progress on this project in the past year has not been possible due to a lack of resources and to our commitment to other projects of higher priority. We hope that it will be possible to resume work on this project during the coming year.

8. Land Titles Registration System (Joint Project) - This is a joint project headed by Prof. Tom Mapp of the Alberta Institute of Law Research and Reform with participants from the Yukon and Northwest Territories, Saskatchewan and Manitoba. Dean Anderson is the Commission's representative on this project and he is joined by Mr. Colquhoun, the Registrar General of Manitoba. Presently, the Joint Committee is awaiting completion of Prof. Mapp's draft statute which will then be studied by the whole Joint Committee.

Future Programme

There are a number of areas which have been referred to the Commission for study and report upon which we have yet been unable to commence work. The Chief Justice of Manitoba in his reasons for judgment in *Marion v. Western Canada Lottery Foundation* (1984) 28 Man. R. (2d) 269 (C.A.) has suggested that the subject of injunctive relief against the Crown should be studied by this Commission. Another judge has asked the Commission to consider the reform of section 83 of *"The Queen's Bench Act"* which concerns

the enforcement of foreign judgments in Manitoba. The Commission has also initiated certain projects on its own. These include a review of section 300 of *"The Liquor Control Act"*, as well as *"The Nuisance Act"*. We are also interested in exploring the possibility of studying the subjects of no-fault compensation and collateral benefits. Due to the breadth of these subjects, however, and the lack of our resources to undertake either study on our own, we hope to interest other law reform agencies in a joint study. There are other matters which we have deferred pending the receipt of reports from other law reform agencies. These include a review of the field of minor's contracts as well as *"The Replevin Act"* of Manitoba.

As the work progresses on our present research programme, we hope to be able to turn our efforts to these new areas of study. We anticipate that we shall be able to commence research in a few of the aforementioned areas within the coming year.

Personnel

During this past year we are glad to report that we have had no changes in our legal staff who continue to give excellent service to the Commission and whose work is always so thorough and helpful in our projects.

From May to August, we were again able to hire two second year law students from the University of Manitoba for research. Ms. L. Arnason provided good research in the field of human tissue transplants and was able to produce the first draft of a working paper on this subject before she left us. Mr. William Veatch did valuable work in researching the area of contracts relating to Breach of Promise of Marriage and prepared a good draft report for the Commission's consideration.

Ms. Donna Miller, our Chief Legal Research Officer, was away on maternity leave for about half the year under review and was sorely missed. We were very pleased to have her rejoin us in January 1985 after the birth of a very lovely daughter. During her absence we enjoyed the assistance of Prof. P. Carlson of the Faculty of Law, University of Manitoba who did most valuable

research leading to the preparation of a consultative paper and a draft report on the subject of Periodic Payment of Damages. We are very grateful to her for helping us in this way during Ms. Miller's absence.

In January 1985 we suffered a very real loss for an extended period of time of the Secretary of the Commission, Miss Suzanne Pelletier who had to enter hospital for some major surgery. She is now back home convalescing well and we hope to have her resume work with us in a few week's time. She has been greatly missed and we do wish her a speedy and complete recovery. We have been very fortunate to have again the services of Mrs. M. Freeman during Miss Pelletier's absence and also lately those of Ms. T. Fogg. To them we record our appreciation for valuable assistance given at short notice. As already mentioned due to financial restaints we have not been able to hire consultants during this year except for Prof. P. Carlson during the absence of Ms. Miller as mentioned earlier.

LIAISON WITH OTHER ORGANIZATIONS

In August 1984 the Chairman attended the Uniform Law Conference Annual Meeting in Calgary. At that meeting he was responsible for presenting the final report of an inter-provincial committee of the Conference on the whole question of Products' Liability. The Conference proceeded to adopt the Report and the draft Bill so that the latter has now become one of the Conference's approved Uniform Acts.

Immediately preceding the Conference the Chairman also attended a meeting of the Law Reform Agencies of Canada. This provided an excellent opportunity to discuss with those agencies various projects and programmes across the country as well as their different modes of operation. We would place on record our appreciation to these agencies for all the assistance and co-operation we have received from them throughout the year.

ACKNOWLEDGMENTS

We have continued to have wide consultations with both the Bench and the Bar and various interest groups and organizations in the community on several projects. We have received great help and co-operation from all concerned and would like to place on record our appreciation of their assistance. We are particularly grateful to the medical profession for the help given to us with regard to the preparation of the Working Paper on *"The Human Tissue Act"*.

We wish to record our deep appreciation to Mr. R.H. Tallin who retired last September after a long and distinguished career in the Manitoba public service. As Deputy Minister and Legislative Counsel he was chiefly responsible for drafting most of the legislation implementing the Commission's recommendations since our inception. He was also most helpful whenever we sought his advice on any drafting proposals which we wished to include in our reports and his co-operation with the Commission in many different ways over the years was most appreciated. We extend our very best wishes to him in Ottawa where his many legal skills continue to be used with the Federal public service.

We are also grateful for the help we have received from the staff of the E.K. Williams Library at the Faculty of Law, the Provincial Archives and Legislative Library, the Law Society's Great Library and the Attorney-General's Library.

We continue to enjoy good relations with and co-operation from all members of the news media with regard to all phases of our work. In particular during this past year we have appreciated their help in giving publicity to our Working Paper on *"The Human Tissue Act"* so that we might get input from the community at large. Interviews conducted by the media with the Chairman and the legal staff have also proved most helpful in informing the public of our proposals for law reform.

Finally the Commission wishes to express its thanks to the Honourable the Attorney-General Roland Penner, Q.C. for his continuing interest in our work.

This is a Report pursuant to subsection 5(2) of *"The Law Reform Commission Act"*, signed this 2nd day of April, 1985.

Clifford H.C. Edwards, Chairman

Knox B. Foster, Commissioner

George H. Lockwood, Commissioner

Lee Gibson, Commissioner

John C. Irvine, Commissioner

APPENDIX A

REPORTS OF THE MANITOBA LAW REFORM COMMISSION

	Subject	Date Submitted	Original legislation implementing the Commission's recommendations
#1	Jury Service for Registered Indians	April 7, 1971	An Act to Amend The Jury Act, S.M. 1971, cap. 32, Royal Assent July 27, 1971
#2	Summary Disposition of Builders' and Workmen's Liens	April 13, 1971	An Act to Amend The Builders and Workmen Act, S.M. 1976, cap. 22, Royal Assent June 3, 1976
#3	Disposition of Maintenance Judgments in Land Titles Offices	May 25, 1971	An Act to Amend The Judgments Act, S.M. 1972, cap. 4, Royal Assent May 9, 1972
#4	An Act Respecting Billiard and Pool Rooms proposed repeal	October 19, 1971	The Statute Law Amendment Act (1974), S.M. 1974, cap. 59, Royal Assent June 14, 1974 (sec. 8)
#5	Recommended Right of Mortgagors to Obtain Annual Statements	October 19, 1971	An Act to Amend The Mortgage Act, S.M. 1972, cap. 59, Royal Assent July 6, 1972
#6	Enactment of a Mineral Declaratory Act	December 20, 1971	The Sand and Gravel Act, S.M. 1972, cap. 34, Royal Assent July 6, 1972 An Act to Amend The Mines Act (sec. 11), S.M. 1972, cap. 70, Royal Assent July 20, 1972 An Act to Amend The Real Property Act (secs. 15 and 16), S.M. 1972, cap. 70, Royal Assent July 6, 1972
#7	Powers of Entry, Search and Seizure in The City of Winnipeg Act	January 24, 1972	An Act to Amend The City of Winnipeg Act (secs. 26, 37, 68, 69, 89 and in part sec. 38, 39 and 63), S.M. 1972, cap. 93, Royal Assent July 20, 1972 (secs. 8, 11, 23-26, 28-35, 38, 97 and 98) S.M. 1974, cap. 73, Royal Assent June 10, 1974

1A	Auto Engine Numbers in Sec 11 of "The Bills of Sale Act"	May 11, 1971	The Statute Law Amendment Act (sec. 3), S.M. 1972, cap. 81, Royal Assent July 20,1972
1B	(a) Prospect of Mortgagor's Relief from Provisions of Sec. 20(6) of "The Mortgage Act"	December 29, 1971	(change not recommended)
	(b) Right to have mortgage discharged upon payment in full after five years	December 19, 1971	An Act to Amend "The Real Property Act" (Sec. 103(1)), S.M. 1972, cap. 37, Royal Assent July 6, 1972
1C	Amending provisions as to costs in Part II of "The County Courts Act" to avoid inconsistency with intent of this new legislation	January 12, 1972	An Act to Amend The County Courts Act, S.M. 1972, cap. 38,Royal Assent July 6,1972
First Annual Report		March 13, 1972	(not applicable)
#8	Section 45 of the Offences Against the Person Act, 1861	July 27, 1972	An Act to Amend The Tortfeasors and Contributory Negligence Act, S.M. 1973, cap 13, Royal Assent May 25, 1973
#9	A Review of "The Privacy Act" with proposed amendments to the Criminal Code of Canada	September 11, 1972	(change not recommended)
#10	The Abolition of Inter-spousal Immunity in Tort	December 19, 1972	An Act to Amend The Married Women's Property Act, S.M. 1973, cap. 12; An Act to Amend The Tortfeasors and Contributory Negligence Act, S.M. 1973, cap. 13; An Act to Amend The Criminal Injuries Compensation Act, S.M. 1973, cap. 23, Royal Assent May 25, 1973
2A	Comments on draft Bill to Amend "The Jury Act"	April 21, 1972	An Act to Amend The Jury Act (in part), S.M. 1972, cap.56, Royal Assent July 11, 1972

2B	Relaxation of Limit of Number of Trustees under "The Trustee Act"	*June 22, 1972*	An Act to Amend The Trustee Act, S.M. 1972, cap. 60, Royal Assent July 11, 1972
2C	Uniformity of Definition of Age as between "The Age of Majority Act" (Man.) and the Criminal Code and the Interpretation Act (Can.)	August 14, 1972	(not applicable for provincial amendment)
2D	Automatic Attachment of Wages for Maintenance Orders	November 27, 1972	An Act to Amend The Garnishment Act, S.M. 1974, cap. 8, Royal Assent June 10, 1974
Second Annual Report		March 20, 1973	(not applicable)
#11	The Advisability of a Good Samaritan Law	March 8, 1973	(change not recommended)
#12	Sec. 110 of "The Real Property Act" - the immortal Manitoba mortgage	April 11, 197	An Act to Amend The Real Property Act, S.M. 1974, cap. 44, Royal Assent June 10, 1974
#13	Pre-licensing Education for Real Estate Agents in Manitoba	December 3, 1973	An Act to Amend The Real Estate Brokers Act, S.M. 1975, cap. 23, Royal Assent June 19, 1975
#14	Special Enduring Powers of Attorney	January 8, 1974	The Powers of Attorney Act, S.M. 1980, cap. 4, Royal Assent July 9, 1980 (in part)
#15	Administration of Justice Part I - Control of Post-arrest/ pre-trial detention	February 26, 1974	Administration of the Public Safety Building in Winnipeg assumed by the Province of Manitoba, effective October 1, 1977; now called "The Winnipeg Remand Centre".
3A	Conferring of matrimonial jurisdiction upon a County Court Judge as a local Judge of The Queen's Bench within the Eastern Judicial District	March 30, 1973	An Act to Amend The Queen's Bench Act, S.M. 1978, cap. 28, Royal Assent July 20, 1978

3B	Correcting recent error in sec. 51 of "The Queen's Bench Act"	September 26, 1973	An Act to Amend The Queen's Bench Act, S.M. 1974, cap. 15, Royal Assent June 10, 1974
3C	Conferring jurisdiction to extend time for payment of fines upon provincial judges other than those who imposed such fines	October 16, 1973	(not applicable for provincial enactment)
3D	Up-dating index to Statutes of Manitoba	October 23, 1973	Indexing commenced
3E	Repeal of sec. 212 of "The Liquor Control Act"	December 19, 1973	Substantial acceptance under s. 16 of an Act to Amend The Liquor Control Act, S.M. 1974, cap. 63, Royal Assent June 14, 1974
Third	Annual Report	April, 1974	(not applicable)
#16	Definition of Death	May 6, 1974	An Act to Amend The Vital Statistics Act, S.M. 1975, cap. 5, Royal Assent June 19, 1975
#17	An International Form of Wills for Manitobans	May 6, 1974	An Act to Amend The Wills Act, S.M. 1975, cap. 5, Royal Assent June 19, 1975
#18	The Rule in Saunders v. Vautier	January 8, 1975	An Act to Amend the Trustee Act, S.M. 1982-83-84, c. 38 s.4, Royal Assent August 18, 1983
#19	The Administration of Justice in Manitoba Part II - Review of The Jury System	February 11, 1975	An Act to Amend The Jury Act (in part), S.M. 1977, cap. 18, Royal Assent June 18, 1977 "Trial by Jury" - pamphlet published by the Dept. of the Attorney-General
4A	Interprovincial Subpoenas	January 27, 1975	The Interprovincial Subpoena Act, S.M. 1975, cap. 3, Royal Assent June 19, 1975

4B	Enforcement of Custody Orders	January 27, 1975	The Extra-Provincial Custody Orders Enforcement Act, S.M. 1975, cap. 4, Royal Assent June 19, 1975
4C	Statutory Sums	February 11, 1975	Various amendments to Manitoba Statutes (in part)
Fourth Annual Report		April, 1975	(not applicable)
#20	Report on "The Highway Traffic Act"	June 16, 1975	An Act to Amend The Highway Traffic Act, S.M. 1977, cap. 34, Royal Assent June 18, 1977 (in part) An Act to Amend The Highway Traffic Act and The Tortfeasors and Contributory Negligence Act, S.M. 1980, cap. 19, Royal Assent July 9, 1980
#21	The Administration of Justice in Manitoba Part III - Consolidation of Extra-Provincial Judgment Enforcement	January 28, 1976	-
#22	Some Aspects of Fire Insurance Legislation in Manitoba	February 9, 1976	-
#23	Family Law - Part I The Support Obligation	February 27, 1976	The Family Maintenance Act, S.M. 1978, cap. 25, Royal Assent July 20, 1978 (in part)
#24	Family Law - Part II Property Disposition	February 27, 1976	An Act to Amend The Gift Tax Act (Manitoba) and The Succession Duty Act (Manitoba), S.M. 1977, (2nd Session), cap. 2, Royal Assent December 12, 1977 The Marital Property Act, S.M. 1978, cap. 24, Royal Assent July 20, 1978 (in part)

			An Act to Amend various Acts relating to Marital Property, S.M. 1978, cap. 27, Royal Assent July 20, 1978 (in part) An Act to Amend The Wills Act, S.M. 1980, cap. 7, Royal Assent July 9, 1980
5A	Limitation of Actions for the taking away, conversion or detention of chattels	May 26, 1975	An Act to Amend The Fatal Accidents Act and Limitation of Actions Act, S.M. 1976, cap. 41, ss. 2, 3 and 4, Royal Assent June 11, 1976
Fifth Annual Report		March 29, 1976	(not applicable)
#25	The Case for a Provincial Bill of Rights	May 19, 1976	-
#26	Revision of Birth Certificates of Trans-sexual persons	September 13, 1976	The Vital Statistics Act, S.M. 1982-83-84, cap. 58, Royal Assent August 18, 1983
Sixth Annual Report		March 14, 1977	(not applicable)
7A	The Local Authorities Election Act	May 31, 1977	An Act to Amend The Local Authorities Election Act, S.M. 1980, cap. 48, Royal Assent July 29, 1980
Seventh Annual Report		March 1, 1978	(not applicable)
#27	Limitation of Actions: Time Extensions for Children, Disabled Persons and Others	January 8, 1979	An Act to Amend The Limitation of Actions Act, S.M. 1980, cap. 28, Royal Assent July 29, 1980
#28	Enforcement of Judgments Part I: Exemptions under The Garnishment Act	January 8, 1979	An Act to Amend The Garnishment Act, S.M. 1979, cap. 8, Royal Assent May 11, 1979
#29	Emergency Apprehension, Admissions and Rights of Patients under The Mental Health Act	February 12, 1979	An Act to Amend The Mental Health Act, S.M. 1980, cap. 62, Royal Assent July 29, 1980 (in part)

#30	Confidentiality of Adoption Records	February 12, 1979	An Act to Amend The Child Welfare Act, S.M. 1979, cap. 22, Royal Assent June 15, 1979 (Sec. 60) An Act to Amend The Child Welfare Act, S.M. 1980, cap. 41, Royal Assent July 29, 1980 Establishment of a "Post adoption registry"
8A	Sec. 5(1) of "The Social Allowances Act"	March 30, 1978	The Statute Law Amendment Act (1984), S.M. 1984, cap. 17, s. 29 (not yet proclaimed)
Eighth Annual Report		February 12, 1979	(not applicable)
#31	Political Financing and Election Expenses	August 13, 1979	The Elections Finances Act, S.M. 1980, cap. 68, Royal Assent July 29, 1980
#32	Mechanics' Liens Legislation	August 13, 1979	The Builders' Liens Act, S.M. 1980-81, cap. 7, Royal Assent May 26, 1981
#33	Enforcement of Revenue Statutes	August 13, 1979	-
#34	Enforcement of Judgments Part III: Exemptions under The Executions Act	October 22, 1979	An Act to Amend The Executions Act, S.M. 1980, cap. 55, Royal Assent July 29, 1980
#35	Estate Claims for Loss of Expectation of Life	October 22, 1979	An Act to Amend The Fatal Accidents Act and The Trustee Act, S.M. 1980, cap. 5, Royal Assent July 9, 1980
#36	Improved Methods of Enforcing Support Orders Against Real Property	November 19, 1979	The Family Law Amendment Act, S.M. 1980, cap. 54, Royal Assent July 19, 1980 (in part)
#37	System of Voter Registration	November 26, 1979	The Elections Act, S.M. 1980, cap. 67, Royal Assent July 29, 1980

#38	The One Year Rule for Enforcement of Arrears in Maintenance	January 21, 1980	An Act to Amend The Family Maintenance Act and The Queen's Bench Act, S.M. 1980, cap. 21, Royal Assent July 9, 1980
9A	The Fire Departments Arbitration Act	April 17, 1979	An Act to Amend The Fire Departments Arbitration Act, S.M. 1980, cap. 27, Royal Assent July 29, 1980
9B	Section 7 of The Payment of Wages Act	August 15, 1979	An Act to Amend The Payment of Wages Act, S.M. 1980, cap. 57, Royal Assent July 29, 1980 (in part)
9C	The Seduction Act	October 22, 1979	An Act to Abolish Certain Actions Concerning Status of Individuals, S.M. 1982, cap. 10, Royal Assent May 25, 1982
9D	Section 9 of The Manitoba Evidence Act	November 6, 1979	An Act to Amend The Manitoba Evidence Act, S.M. 1980, cap. 26, Royal Assent July 19, 1980
9E	The Wills Act and Ademption	November 20, 1979	An Act to Amend The Wills Act, S.M. 1980, cap. 7, Royal Assent July 9, 1980
9F	The term "illegitimate"	December 4, 1979	(change not recommended)
Ninth	Annual Report	February 25, 1980	(not applicable)
#39	Controverted Elections	April 21, 1980	-
#40	Enforcement of Judgments under "The Judgments Act"	April 21, 1980	-
#41	The Statute of Frauds	August 11, 1980	An Act to repeal the Statute of Frauds, S.M. 1982-83-84, cap. 34, Royal Assent August 18, 1983
#42	Occupiers' Liability	August 11, 1980	The Occupiers' Liability Act, S.M. 1982-83-84, cap. 29, Royal Assent August 18, 1983; The Statute Law Amendment Act (1984), S.M.1984, cap. 17, s. 28, Royal Assent June 29, 1984

#43	The Wills Act and the Doctrine of Substantial Compliance	September 8, 1980	The Wills Act, S.M. 1982-83-84, cap. 31, Royal Assent August 18, 1983
#44	The General Register	September 22, 1980	-
#45	Simplified Mortgage	December 15, 1980	(legislative amendment not required)
10A	Municipal Assessment of Personal Property	February 26, 1980	(referred to Special Committee)
10B	The Marriage Settlement Act	October 9, 1980	The Statute Law Amendment Act, S.M. 1980-81, cap. 26, Royal Assent May 26, 1981 (sec. 22)
Tenth Annual Report		February 16, 1981	(not applicable)
#46	Conflict of Interest of Municipal Councillors	January 4, 1982	The Municipal Conflict of Interest Act, S.M. 1982-83-84, cap. 44, Royal Assent August 18, 1983
#47	Prejudgment Compensation on Money Awards: Alternatives to Interest	January 4, 1982	-
#48	Prescriptive Easements and Profits-a-prendre	January 18, 1982	-
#49	The Rules Against Accumulations and Perpetuities	February 12, 1982	The Perpetuities and Accumulations Act, S.M. 1982-83-84, cap. 43, Royal Assent August 18, 1983
#50	Investment Provisions under "The Trustee Act"	February 12, 1982	An Act to amend The Trustee Act, S.M. 1982-83-84, cap. 38, Royal Assent August 18, 1983
11A	Parents' Maintenance Legislation	March 3, 1981	-
11B	Provincial Offences Procedures	June 29, 1981	An Act to Amend The Summary Convictions Act, S.M. 1972, cap. 24, Royal Assent June 30, 1982
11C	"The Remembrance Day Act"	January 28, 1982	-

Eleventh Annual Report		February 14, 1982	(not applicable)
#51	"The Survivorship Act"	September 7, 1982	The Survivorship Act, S.M. 1982-83-84, cap. 28, Royal Assent August 18, 1983
#52	Structure of the Courts, Part I: Amalgamation of the Court of Queen's Bench and the County Courts of Manitoba	October 25, 1982	An Act to amend The Queen's Bench Act and to repeal The County Courts Act, The Surrogate Courts Act and The County Court Judges' Criminal Courts Act and to amend The Municipal Boundaries Act, S.M. 1982-83-84, cap. 82, Royal Assent August 18, 1983 The Court of Queen's Bench Small Claims Practices Act, S.M. 1982-83-84, cap. 83, Royal Assent August 18, 1983 The Court of Queen's Bench Surrogate Practice Act, S.M. 1982-83-84, cap. 84, Royal Assent August 18, 1983 An Act to amend Various Acts of the Legislature to facilitate the Reorganization and Expansion of the Court of Queen's Bench, S.M. 1982-83-84, cap. 85, Royal Assent August 18, 1983
#53	The Law of Domicile	December 1, 1982	The Domicile and Habitual Residence Act, S.M. 1982-83-84, cap. 80, Royal Assent August 18, 1983
#54	Certificates of Lis Pendens	February 1, 1983	-
#55	Structure of the Courts, Part II: The Adjudication of Smaller Claims	March 7, 1983	-
Twelfth Annual Report		April 11, 1983	(not applicable)

#56	Medical Privilege	October 4, 1983	-
#57	Uniform Sale of Goods Act	November 1, 1983	-
Thirteenth Annual Report		April 2, 1984	(not applicable)
#58	Administrative Law; Part I: Procedures of Provincial Government Agencies	June 29, 1984	-
#59	Breach of Promise to Marry	October 1, 1984	-
#60	An Examination of "The Dower Act"	November 19, 1984	-
#61	Intestate Succession	March 25, 1985	-
14A	Jactitation of Marriage	October 5, 1984	-